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5 Attorney for Defendant
JOSE MAYO RODRIGUEZ

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 JOSE ENCARNACION MAYO RODRIGUEZ,
SYLVIA ZAMBRANO, YESENIA LOPEZ,
MARIA LUISA ESCAMILLA LOPEZ, JUAN
CHAVARRIA, JUAN RAMON LOPEZ,
NEREYDA ALVAREZ, PHILLIP ALLEN
BAILEY, and CHARLES JAMES
BILLINGSLEY,

15 Defendants.

16 Case No.: 2:19-cr-231 WBS

17 STIPULATION AND ORDER
CONTINUING STATUS CONFERENCE
AND EXCLUDING TIME UNDER THE
SPEEDY TRIAL ACT

18 Date: January 25, 2021
Time: 9:00 a.m.
Court: Hon. William B. Shubb

21

22

23 This is a case charging conspiracy to distribute methamphetamine and heroin. It is
24 presently set for status conference involving all nine defendants on January 25, 2021. The
25 government has provided voluminous discovery consisting of more than 4400 pages of material,
26 including hours of video and audio recordings.

27

28 ORDER CONTINUING STATUS
CONFERENCE

1 Many of the events at issue in the case occurred in San Joaquin County, with additional
2 matters occurring in Southern California and the San Francisco Bay Area. Defense investigation
3 into the charged events can fairly be characterized as state-wide in scope.
4

5 During most of the period that this case has been pending national events related to the
6 spread of COVID-19 occurred. Federal and state authorities have issued directives designed to
7 address the pandemic. These directives have hampered the ability of the defense to conduct
8 investigation as to potential defenses in this matter. Additional time is therefore required for
9 defense investigation into matters charged in the Indictment.
10

11 The parties to this action, Plaintiff United States of America by and through Assistant
12 United States Attorney Cameron Desmond, and Attorney Todd Leras on behalf of Defendant
13 Jose Mayo Rodriguez, Attorney Christopher Cosca on behalf of Defendant Sylvia Zambrano,
14 Attorney Brian Andritch on behalf of Defendant Yesenia Lopez, Attorney Dina Santos on behalf
15 of Defendant Maria Escamilla Lopez, Attorney Armando Villapudua on behalf of Defendant
16 Juan Chavarria, Attorney Philip Cozens on behalf of Defendant Juan Lopez, Attorney David
17 Garland on behalf of Defendant Nereyda Alvarez, Attorney Michael Chastaine on behalf of
18 Defendant Phillip Bailey, and Attorney Johnny Griffin, III, on behalf of Defendant Charles
19 Billingsley, stipulate as follows:
20

- 21 1. By this stipulation, Defendants now move to vacate the status conference presently
22 set for January 25, 2021. The parties request to continue the status conference to May
23 3, 2021, at 9:00 a.m., and to exclude time between January 25, 2021 and May 3, 2021,
24 inclusive, under Local Code T-4. The United States does not oppose this request.
25
- 26 2. Based on the above-stated facts regarding the volume of discovery and the time
27

28 ORDER CONTINUING STATUS
CONFERENCE

1 required for defense investigation, the parties jointly request that the Court find that
2 the ends of justice served by continuing the case as requested outweigh the best
3 interest of the public and the Defendants in a trial within the time prescribed by the
4 Speedy Trial Act.
5

- 6 3. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et*
7 *seq.*, within which trial must commence, the time period of January 25, 2021 to May
8 3, 2021, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), and
9 (B) (iv) [Local Code T-4] because it results from a continuance granted by the Court
10 at Defendants' request on the basis that the ends of justice served by taking such
11 action outweigh the best interest of the public and the Defendants in a speedy trial.
12
13 4. Nothing in this stipulation and order shall preclude a finding that other provisions of
14 the Speedy Trial Act dictate that additional time periods are excludable from the
15 period within which a trial must commence.
16

17 Assistant U.S. Attorney Cameron Desmond and all defense counsel have reviewed this
18 proposed order and authorized Todd Leras to sign it via email or phone confirmation on their
19 behalf.
20

DATED: January 19, 2021

21 By /s/ Todd D. Leras for
22 CAMERON DESMOND
23 Assistant United States Attorney
24

DATED: January 19, 2021

25 By /s/ Todd D. Leras
26 TODD D. LERAS
27 Attorney for Defendant
28 JOSE MAYO RODRIGUEZ
29

DATED: January 19, 2021

ORDER CONTINUING STATUS
CONFERENCE

1 By /s/ Todd D. Leras for
2 CHRISTOPHER R. COSCA
3 Attorney for Defendant
SYLVIA ZAMBRANO

4 DATED: January 19, 2021

5 By /s/ Todd D. Leras for
6 BRIAN ANDRITCH
7 Attorney for Defendant
YESENIA LOPEZ

8 DATED: January 19, 2021

9 By /s/ Todd D. Leras for
10 DINA L. SANTOS
11 Attorney for Defendant
MARIA ESCAMILLA LOPEZ

12 DATED: January 20, 2021

13 By /s/ Todd D. Leras
14 ARMANDO VILLAPUDUA
15 Attorney for Defendant
JUAN CHAVARRIA

16 DATED: January 20, 2021

17 By /s/ Todd D. Leras for
18 PHILIP COZENS
19 Attorney for Defendant
JUAN RAMON LOPEZ

20 DATED: January 19, 2021

21 By /s/ Todd D. Leras for
22 DAVID GARLAND
23 Attorney for Defendant
NEREYDA ALVAREZ

24 DATED: January 20, 2021

25 By /s/ Todd D. Leras for
26 MICHAEL CHASTAINE
27 Attorney for Defendant
PHILLIP BAILEY

28 DATED: January 19, 2021

ORDER CONTINUING STATUS
CONFERENCE

1 By /s/ Todd D. Leras for
2 JOHNNY GRIFFIN, III
3 Attorney for Defendant
4 CHARLES BILLINGSLEY
5
6
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ORDER

8 BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is
9 hereby ordered that the status conference in this matter, scheduled for January 25, 2021, is
10 vacated. A new status conference is scheduled for May 3, 2021, at 9:00 a.m. The Court further
11 finds, based on the representations of the parties and Defendants' request, that the ends of justice
12 served by granting the continuance outweigh the best interests of the public and the Defendants
13 in a speedy trial. Time shall be excluded under the Speedy Trial Act, 18 U.S.C. §
14 3161(h)(7)(B)(iv) and Local Code T-4, to allow necessary attorney preparation taking into
15 consideration the exercise of due diligence for the period from January 25, 2021, up to and
16 including May 3, 2021.

17
18 IT IS SO ORDERED.
19

20 DATED: JANUARY 20, 2021

21 
22 WILLIAM B. SHUBB
23 UNITED STATES DISTRICT JUDGE
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ORDER CONTINUING STATUS
CONFERENCE